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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/766,067	01/19/2001	John D. Graham	IDX-1	8300

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EXAMINER
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SAIN, GAUTAM

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 04/26/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/766,067

Applicant(s)

GRAHAM ET AL.

Examiner

Gautam Sain

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-78 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-78 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5/6-02
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1) The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**1-1) Claims 1,2,4,5,7,14-39, 40, 41, 43, 44, 46, 53-78 rejected under 35**

**U.S.C. 102(e) as being anticipated by Schmidt et al (US 6418457 B1, filed Dec 10, 1997).**

**Regarding claim 1,40**, Schmidt teaches *receiving an entry of the piece of content from a user* (ie., worker will be able to enter ...)(col 4, lines 31-32).

Schmidt teaches *storing the piece of content with a time stamp and an identifier of the user* (ie., timestamp and digital signature)(col 4, lines 42).

Schmidt teaches *preventing ...been stored* (ie., read-only)(col 2, line 61)(ie., once in the database the document can no longer be changed)(col 8, lines 34).

**Regarding claim 2, 41**, Schmidt teaches *presenting a user interface ... may be received* (ie., display of document ... with selection buttons which are pressed by user to enter a command; ... user can typed in or paste)(col 7, lines 38-48; col 8, lines 34-35)

**Regarding claims 4, 43**, Schmidt teaches "user interface is an email client" (col 7, line 53).

**Regarding claims 5, 44,** Schmidt teaches "user interface is presented in a page paradigm" (ie., notebook page... document title, body...)(col 8, lines 15-35).

**Regarding claims 7, 46,** Schmidt teaches "tracking a value associated with the piece of content" (ie., history of the application)(col 6, lines 1-18).

**Regarding claims 14, 53,** Schmidt does not teach, but Grow teaches "providing information ... docketing system" (ie., ... stored in this section ... designations "in process," "allowed," ... assigned to an application... )(col 6, lines 1-18).

**Regarding claims 15,54,** Schmidt teaches "maintaining metadata relating to the piece of content" (ie., timestamp of the material ... stored)(col 1, line 65- col 2, line 10).

**Regarding claims 16,55,** Schmidt teaches "maintain log data relating to the piece of content" (ie., application serial number ... officially filed ... history)(col 6, line 5).

**Regarding claims 17,56,** Schmidt teaches "maintaining context information relating to the piece of content" (ie., "in process" "allowed" "abandoned")(col 6, lines 8-12).

**Regarding claims 18,57,** Schmidt teaches "context information ... another user" (ie., witness)(col 4, lines 45-50).

**Regarding claims 19,58,** Schmidt teaches "collaborative ... user " (ie., ... groups to which he belongs ...)(col 4, lines 45-50).

**Regarding claims 20,59,** Schmidt teaches "controlling ... information" (ie., administrator is the sole person that is given the rights to ... )(col 6, lines 51-53)(ie., access rights)(col 3, line 60).

**Regarding claims 21,60**, Schmidt teaches “maintaining .. user” (ie., inventor name)(col 6, line 44).

**Regarding claims 22,61**, Schmidt teaches “information ... personal information” (ie., inventor name)(col 6, line 44).

**Regarding claims 23,62**, Schmidt teaches “information ... employment information” (ie., job roles such as Administrator, Leader, Worker ...)(col 3, lines 55-67).

**Regarding claims 24,63**, Schmidt teaches “information relating ... role information” (ie., Administrator, Leader, Worker ... )(col 3, lines 55-67).

**Regarding claims 25,64**, Schmidt teaches “controlling access ... role information” (ie., Administrator ... access rights .. assigned ...)(col 3, lines 55-67).

**Regarding claims 26,65**, Schmidt teaches “enabling ... already stored” (ie., images incorporated with the text)(col 2, lines 29-33)(ie., Administrator enters serial number .. revisions of that disclosure .. full history of the application)(col 5, line 66 – col 6, line 5).

**Regarding claims 27,66**, Schmidt teaches “other piece ... another user” (ie., multiple inventors ... )(col 5, lines 38-40).

**Regarding claims 28,67**, Schmidt teaches “enabling ... to a file” (col 8, line 23).

**Regarding claims 29,68**, Schmidt teaches “storing ... a draft status” (ie., worker can temporarily save the data that he wishes to record ... time stamp and digital signature is added to the document )(col 4, lines 30-43).

**Regarding claims 30,69**, Schmidt teaches “storing the piece of content ... registered status” (ie. document has been read and witnessed; public notary provide independent certification ... )(col 8, lines 3- 50).

**Regarding claims 31,70**, Schmidt teaches “linking the content ... information” (ie., application serial number ... history ... “in process”)(col 6, lines 1-18).

**Regarding claims 32,71**, Schmidt teaches “storing with the content ... other information” (ie., application serial number identifies “in process”)(col 6, lines 1-18).

**Regarding claims 33,72**, Schmidt teaches “storing the content ... permanent form” (col 8, lines 30-35).

**Regarding claims 34,73**, Schmidt teaches “storing the content ... as evidence” (ie., documents certified by Public Notary to provide independent certification ....)(col 8, lines 47-53).

**Regarding claims 35,74**, Schmidt teaches “content ... be separated” (col 8, lines 30-35).

**Regarding claims 36,75**, Schmidt teaches “submitting ... witness” (ie., adding witness to a document... witness selection button ... doc-link to the document to the witness by pressing “send mail notification now” button ... time stamp)(col 7, lines 38-67).

**Regarding claims 37,76**, Schmidt teaches “witness ... third party” (ie., public notary)(col 8, line 48).

**Regarding claims 38,77**, Schmidt teaches “witness is a process” (ie., public notary)(col 2, lines 26-27).

**Regarding claims 39,78**, Schmidt teaches "generating ... digital fingerprint" (ie., revisions ... full history of application )(col 6, lines 1-18).

***Claim Rejections - 35 USC § 103***

2) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**2-1) Claims 6,8,9,10,11,12,13,45,47,48, 49, 50, 51, 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmidt (as applied to claim 1 and 40 above, respectively), in view of Himmelstein (US 2002/0032643 A1, effective filing data Aug 5, 1999 for Non-provisional of application No. 60/147243).**

**Regarding claims 6, 45**, Schmidt does not teach, but Himmelstein teaches "designating ... to the user" (ie., value determined by the barterer)(para 8).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schmidt to include value to the user as taught by Himmelstein, providing the benefit of allowing users to create a new type of financial interest and a new type of market value (para 22).

**Regarding claims 8, 47**, Schmidt does not teach, but Himmelstein teaches "value is an estimated value" (ie., value determined by the barterer)(para 8).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schmidt to include estimated value to the user as taught by

Himmelstein, providing the benefit of allowing users to create a new type of financial interest and a new type of market value (para 22).

**Regarding claims 9, 48,** Schmidt does not teach, but Himmelstein teaches "value is a market value" (ie., market value)(para 8).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schmidt to include market value to the user as taught by Himmelstein, providing the benefit of allowing users to create a new type of financial interest and a new type of market value (para 22).

**Regarding claims 10, 49,** Schmidt does not teach, but Himmelstein teaches "value is a compound value" (ie., accumulated by barterers .. items of unequal value)(para 25).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schmidt to include compound value to the user as taught by Himmelstein, providing the benefit of allowing users to create a new type of financial interest and a new type of market value (para 22).

**Regarding claims 11, 50,** Schmidt does not teach, but Himmelstein teaches "value is a proportional value" (ie., value determined by the barterer... value ranges add to the flexibility of the system)(para 8).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schmidt to include proportional value to the user as taught by Himmelstein, providing the benefit of allowing users to create a new type of financial interest and a new type of market value (para 22).



**Regarding claims 12, 51,** Schmidt does not teach, but Himmelstein teaches "tracking the owner ...." (ie., barterer ... actual ownership of the barter item )(para 8).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schmidt to include tracking the owner of the barter item in the system as taught by Himmelstein, providing the benefit of allowing users to create a new type of financial interest and a new type of market value (para 22).

**Regarding claims 13, 52,** Schmidt does not teach, but Himmerlstein teaches "information ... trading system" (ie., bartering system)(para 7, title, abstract).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schmidt to include bartering system as taught by Himmelstein, providing the benefit of allowing users to create a new type of financial interest and a new type of market value (para 22).

**2-2) Claims 3, 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmidt (as applied to claim 1 and 40 above, respectively), in view Cass (US 5692073, issued Nov 25, 1997).**

**Regarding claims 3, 42,** Schmidt does not expressly teach, but Cass teaches "interface is a Web page" (ie., web hypertext documents... graphical user interface)(Title, col 15, lines 15-63).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schmidt to include a graphical user interfaces with hypertext or web documents as taught by Cass, providing the benefit of a more flexible and powerful way

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to create forms with the potential of paper-based user interfaces (Cass, col 3, lines 15-20).

#### **Other Cases**

- A. 1. Cass (US 5692073, issued Nov 1997).
- 2. Grow (US 6694315 B1, filed Sep 1999).
- 3. Lee (US 5347477, issued Sep 1994).
- 4. Weber et al. (US 5592607, issued Jan 1997).
- 5. Bisbee et al. (5748738, May 1998).
- 6. Holte (US 5713793, issued Feb 1998).
- 7. Lange (US 6321212 B1, filed Nov 1999).

#### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gautam Sain whose telephone number is 703-305-8777. The examiner can normally be reached on M-F 9-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (703)305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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**SANJIV SHAH**  
**PRIMARY EXAMINER**